

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor:	Valentini, Paola
Serial No.:	unknown
Title:	Twisted Closed Loop Jewelry Article
Filing Date:	April 12, 2004 (herewith)
Examiner:	unknown
Group:	unknown
Atty Docket No.:	1663.009

PATENT
APPLICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION TO MAKE SPECIAL UNDER MPEP § 708.02

Sir:

Applicant hereby petitions to make the instant application special pursuant to MPEP § 708.02 for the purposes of **accelerating examination** and ultimate issuance of the patent, on the grounds of a **pre-examination search**. **Nine** patent references, and a PTO-1449 form are also enclosed. Please charge the undersigned's Deposit Account, No. 02-2105, in the amount of **\$130** pursuant to 37 CFR §1.17(h).

04/15/2004 EHAILE1 00000032 022105 10823106

01 FC:1460 130.00 DA

U.S. Pat. Application
Filed April 12, 2004
Inventor: Paola Valentini
Petition to Make Special
Under MPEP §708.02

STATEMENT OF SINGLE INVENTION

The application presents claims directed to a single invention, a closed loop jewelry article having a longitudinal twist. No election is believed necessary.

SCOPE OF PRE-EXAMINATION SEARCH

A pre-examination search was in the USPTO by Donald E. Bullock (Reg. No. 30,734), the search agent for Applicant's undersigned patent attorney. The field of search included the following classes and sub-classes:

Class 63, subclasses: 3, 4, 21, 26, 28, 29.1, 38, and 39;

Design Class 11, subclasses: 3, 12, and 16.

The search was conducted through the EAST search system including the databases containing U.S. patents and published U.S. applications, and available foreign patents.

INVENTION SEARCHED

The invention for which the search was performed is a jewelry bracelet or necklace having a loop, the loop being twisted longitudinally to provide a spiral appearance, the loop having a nominal top, bottom and outer sides. Jewelry stones are mounted at the outer sides of the loop, wherein the jewelry stones twist around the loop along the longitudinal length of the jewelry bracelet or necklace. The inventive closed loop jewelry article includes repetitive elements that are coupled together to provide a train of elements with each element being slightly rotationally displaced from adjacent elements so that the elements twist longitudinally along the length of the article. More specifically, the invention searched is a twisted jewelry article, having a plurality of modules. Each module includes a main body having a longitudinal axis, a female receptacle disposed inside the main body and accessible via a rear portion of the main body, and a male tab projecting from a front portion of the main body. The male tab of one module is fittable within an adjacent of the female receptacle of an adjacent of the modules with an outer surface of the male tab being substantially contactable with an inner surface of the adjacent female receptacle. In at least a certain sub-plurality of the modules, the male tab outer surface is

U.S. Pat. Application
Filed April 12, 2004
Inventor: Paola Valentini
Petition to Make Special
Under MPEP §708.02

angularly offset to the female receptacle inner surface about the longitudinal axis to thereby angularly offset adjacent modules to thereby impart a longitudinal twist to the jewelry article.

PATENTS UNCOVERED FROM SEARCH

The following **nine** U.S. references were uncovered as a result of the aforementioned search:

<u>Patent/Pub. No.</u>	<u>Inventor</u>	<u>Issue/Pub. Date</u>
D481,968	Cerato	Nov. 11, 2003
2003/0106337	Rosenwasser et al.	June 12, 2003
6,629,434	Chia et al.	Oct. 7, 2003
5,592,835	Herr	Jan. 14, 1997
5,343,718	Pöll	Sep. 6, 1994
4,014,079	Camarda	Mar. 29, 1977
3,323,325	Meyer	June 6, 1967
3,192,738	Charles et al.	July 6, 1965
1,894,195	Pulver	Jan. 10, 1933

Copies of all of the cited references are provided herewith, along with a PTO-1449 form.

DISCUSSION OF UNCOVERED PATENTS

U.S. Design Patent No. D481,968 to Cerato discloses the design for a jewelry chain having standard links, not a bracelet or necklace. This chain does not have a top, bottom, or sides; rather it consists of interlocking links that are identical and disposed either at substantially 90° (Figs. 1-3) or an acute angle (Figs. 4-6) from each other. There are no jewels mounted anywhere on this chain, nor is there the suggestion of same. This prior art patent does not disclose the structure and configuration of the present invention as claimed herein.

U.S. Patent Appl'n Pub. No. 2003/0106337 (Appl'n. No. 10/314,541) to Rosenwasser et al. discloses another jewelry chain made from a series of links made from spiral-shaped coils (page 1, ¶ 0004, lines 1-2). After a standard coil is formed on a mandrel, each individual spiral in the coil is rotated or twisted relative to its neighbor (page 1, ¶ 0005, lines 4-6). Specifically, as each spiral portion 21-29 (see Fig. 2) is removed from mandrel 18, each is rotated or twisted a certain angle with respect to the immediately preceding spiral portion still on mandrel 18 (page 2, ¶ 0022, lines 5-11). Such rotation is made permanent. (¶ 0022, line 16). If the spirals have been provided with facets initially, then the facets no longer line up but are instead offset as shown in Fig. 5. (page 2, ¶ 0023, lines 3-7). There are no jewelry stones mounted anywhere on this structure, nor can there realistically be deemed to be top, bottom, and sides of the radially symmetrical spirals. This prior art patent does not disclose the structure and configuration of the present invention as amended herein.

The remaining patents disclose jewelry articles having repeating elements that are identically configured and do not twist, and therefore appear to be less relevant than those mentioned above and need not be discussed in detail.

DISCUSSION OF CLAIMS

None of the aforementioned prior art patents, discloses, teaches, or suggests the dispensing adapter for pressurized containers of the present invention, as set forth in the claims as amended herein. For example, Claim 1 recites

A jewelry bracelet or necklace comprising:
a loop, said loop being twisted longitudinally to provide a spiral
appearance, said loop having a nominal top, bottom and outer sides; and
jewelry stones mounted at said outer sides,
wherein said jewelry stones twist around said loop along the longitudinal
length of said jewelry bracelet or necklace.

The teachings of the claimed longitudinal twist of jewelry stones in a bracelet or necklace is found in the specification on page 5, line 12 *et seq.* That the loop (made of individual modules) has multiple potential ornamental surfaces (e.g., the claimed top, bottom, and outer

U.S. Pat. Application
Filed April 12, 2004
Inventor: Paola Valentini
Petition to Make Special
Under MPEP §708.02

sides) can be found in the specification at page 7, lines 15-26, for example. The more specific longitudinal rotation-forming structure as claimed in Claim 14 –i.e., that each module has a male tab and a female receptacle angularly offset from each other– is described in the specification at page 6, line 4 - page 7, line 14.

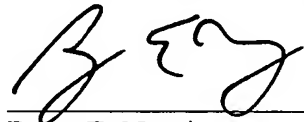
These features are not disclosed or suggested in the prior art.

Favorable consideration on the merits is respectfully requested.

Dated: April 12, 2004

Levisohn, Berger & Langsam, LLP
757 Third Avenue, Suite 2500
New York, New York 10017
(212) 486-7272, x304

Respectfully submitted,



Barry E. Negrin
Reg. No.: 37,407
Attorney for Applicant